

Communications respecting this case should identify it by number and names of parties.



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**JUN 11 1992**

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Patentees: Schirmer et al.  
Serial No.: 06/941,323  
Filed: 12/15/86  
For: ACRYLIC ACID DERIVATIVES  
AND FUNGICIDES WHICH CONTAIN  
THESE COMPOUNDS  
Accorded Benefit: none

Patent No. 4,782,177, issued  
11/01/88

The case referred to above has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with other cases hereafter specified. Attention is directed to the fact that this interference is declared pursuant to 37 CFR 1.601 et seq., effective February 11, 1985 (49 F.R. 48416, 1050 O.G. 385). The interference is designated as No. 102847.

By direction of the Commissioner of Patents and Trademarks and as required by 35 USC 135(c), notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference."

The cases involved in this interference are:

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Serial No.: 06/941,323 filed 12/15/86, now Patent No. 4,782,177  
issued 11/01/88

For: ACRYLIC ACID DERIVATIVES AND FUNGICIDES WHICH CONTAIN THESE  
COMPOUNDS

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Serial No.: 06/786,803 filed 10/11/85

For: FUNGICIDES

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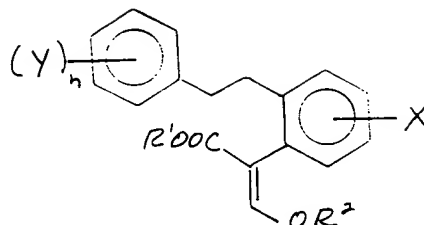
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Accorded Benefit of: United Kingdom application Nos. 84/26473,  
filed 10/19/84, 84/32265, filed 12/20/84 and  
85/13115, filed 05/23/85

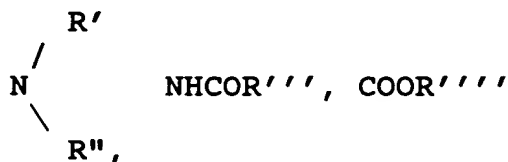
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COUNT 1

An acrylic acid derivative of the formula



wherein  $R^1$  and  $R^2$  independently of one another are each  $C_1$ - $C_8$ -alkyl, X is hydrogen, halogen,  $C_1$ - $C_4$ -alkoxy, trifluoromethyl, cyano, or nitro, Y is hydrogen, alkyl, aryl, aryloxy, halogen, an unsubstituted or substituted  $C_4H_4$  chain which is fused to the benzene radical, alkoxy, haloalkoxy, nitro, cyano, or a group of the formula

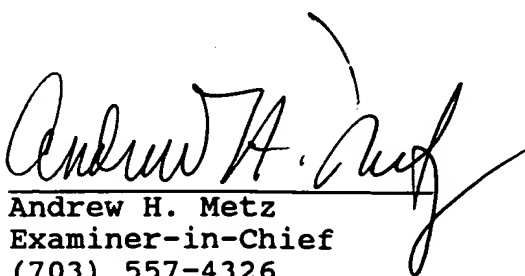


wherein  $R'$  and  $R''$  are hydrogen or alkyl,  $R'''$  is hydrogen or alkyl, and  $R''''$  is hydrogen or alkyl, and n is from 1 to 4.

The claims of the parties which correspond to this count are:

Schirmer et al.: Claims 1-9  
 Bushell et al.: Claims 39-47

yrt

  
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